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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,489	07/25/2003	DAVID BRIAN GLICKMAN	201-0583	1488
7590 12/22/2005 ARTZ & ARTZ, P.C. 28333 TELEGRAPH ROAD, SUITE 250 SOUTHFIELD, MI 48034			EXAMINER KING, ANITA M	
			ART UNIT 3632	PAPER NUMBER

DATE MAILED: 12/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/604,489	Applicant(s) GLICKMAN, DAVID BRIAN	
	Examiner Anita M. King	Art Unit 3632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8-13 is/are allowed.
- 6) ☒ Claim(s) 1-12 and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

This is the second office action for application number 10/604,489, License Plate Bracket for Automotive Vehicle, filed on July 25, 2003.

Response to Amendment

Prosecution on the merits of this application is reopened on claims 1-7 and 14 considered unpatentable for the reasons indicated below: a newly discovered reference to Drybread, Sr. et al. and reconsideration of reference to Koch et al., are being applied respectively to claims 1-7 and 14, and thus the allowability of claims 1-7 and 14 has been withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 3,430,376 to Drybread, Sr. et al., hereinafter, Drybread. Drybread discloses a license plate bracket (10) for an automotive vehicle, comprising: a generally planar body having a front side adapted to receive a license plate (14), and a rear side; a plurality of self-locking, axially engageable retention structures (16) extending from the rear side of the generally planar body, with the retention structures comprising at least one primary retention structure adapted to axially engage a vehicular surface to which

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the bracket is being mounted, so as to establish an axis of limited rotation of the bracket which is parallel to a major axis of the generally planar body, and with the plurality of retention structures further comprising at least one secondary retention structure (18) which is adapted to axially engage and lock itself with the vehicular surface when the generally planar body is rotated into contact with the vehicular surface; and wherein the license plate bracket has a plurality of secondary retention structures.

Claims 1, 2, 4-7, and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,813,640 to Koch et al., hereinafter Koch. Koch discloses a license plate bracket (30) for an automotive vehicle, comprising: a generally planar body having a front side adapted to receive a license plate, and a rear side; a plurality of self-locking, axially engageable retention structures extending from the rear side of the generally planar body, with the retention structures comprising at least one primary retention structure (48) adapted to axially engage a vehicular surface to which the bracket is being mounted, so as to establish an axis of limited rotation of the bracket which is parallel to a major axis of the generally planar body, and with the plurality of retention structures further comprising at least one secondary retention structure (56) which is adapted to axially engage and lock itself with the vehicular surface when the generally planar body is rotated into contact with the vehicular surface; wherein the primary retention structures comprises a planar hook having a major axis which is parallel to a major axis of the generally planar body; wherein the at least one secondary retention structure comprises a resilient sprag or resilient ribbed stud; wherein the license plate bracket has a plurality of secondary retention structures; and wherein the

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primary retention structure comprises a planar hook mounted to the rear side of the generally planar body at a location proximate the midpoint of the planar body, with the bracket having a plurality of secondary retention structures located proximate an edge of the generally planar body.

Koch inherently teaches the method for manually attaching a license plate frame to an end module of an automotive vehicle, without the use of tools, comprising the steps of inserting a primary retention structure into a passage formed in the end module; inserting a plurality of secondary retention structures into passages formed at the intersection of adjacent panels in the end module.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Koch in view of U.S. Patent 6,581,252 to Sedlock et al. Koch discloses the claimed invention except for the limitation of the secondary retention structure being a spring-loaded toggle. Sedlock et al. teaches a spring loaded toggle fastener. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the retention structure in Koch to have been a spring loaded toggle

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fastener as taught by Sedlock et al. for the purpose of providing an alternative, mechanically equivalent means for attaching the bracket to the vehicle.

Allowable Subject Matter

Claims 8-13 are allowed.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 2,178,727 to Owens

U.S. Patent 3,379,402 to Trammell, Jr.

U.S. Patent 3,683,529 to Reed


The above patents all disclose various types of license plate holders.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anita M. King whose telephone number is (571) 272-6817. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Anita M. King
Primary Examiner
Art Unit 3632

December 13, 2005